Quebec & the Canada Crisis

for a Constituent Assembly and a new Canadian Constitution

by Ross Dowson

25 cents

QUEBEC AND THE CANADA CRISIS

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Part 1 (of 3)

Constitutional crisis puts Canada in question

Analyzing the roots of Canada's evolution

(from Forward, May 1977)

The cry of Unity is echoing across the country. A flood of pronouncements issuing out of the offices of Ottawa's mandarins and from Prime Minister Trudeau himself (The Privy Council has set up a special unit, and the appointment of a Commissioner-General for National Unity is being considered) are being spread wholesale by the mass media.

Save Canada —but from what or whom? Unity— but with whom and for what? The demagogy torn aside, what we are being asked to do is rally to the maintenance of the status quo; an admission that, for very good reason, it is falling down all around us. We are being asked to rally in resolute ranks behind the constitution, the BNA Act, glossed up as a sacred pact of the people agreed upon by the Founding Fathers only 110 years ago. Or that we should go along with those who, adopting a more reasonable approach, would consider modifying the BNA Act in some respect, possibly easing off some its centralizing aspects or by making other adjustments, but only all the more to hold onto its very essence.

Getting more to the point, it means blocking the Québécois from establishing their national sovereignty! Cool the heat from the Native People’s demands for recognition of their nationhood and lands being coveted by the ecologically reckless, plundering lumber and oil moguls, and the pressures mounting from the widespread dissatisfaction with unemployment, the wage freeze, social service cutbacks, etc.

On the other hand, however, there are a growing number who consider that the time is ripe to face the facts and open a full wide-ranging discussion on every aspect of the Canadian condition and to advance towards taking all the necessary actions that would prepare a new constitution – one that would lay the basis for a Canada that could meet the challenges of the day.

There is much at stake. This is the most crucial debate in Canada's history. We are in a struggle over the minds of the people. Will they be won to support the forces for social change, or will they be led to support or at least accept what the ruling class assesses is possible to get away with in the preservation of its interests?

Success for those who cover themselves with appeals to Canadian Unity and the sacredness of the constitution can only lead to the violation of the rights of the Quebec nation, of the powers of the Quebec National Assembly and its PQ majority, to frustrate a yes vote in the referendum on Quebec sovereignty and independence. Even an insane military-police assault against the people of Quebec is not absolutely excluded.

Québécois and Native Peoples' struggles

For there should be no mistake. The November 15 PQ electoral victory was no fluke, but signaled a qualitative leap in the 200-year-long struggle for Quebec equality. A rapidly growing majority are convinced that equality can only be realized by independence. Their struggle has proved beyond all possible doubt to be an irrepressible one, making its resolution in independence, certainly in the long run, largely inevitable. No other force in Canadian society, no matter what its impact in the short run, can decide that—only the Québécois. Any repeat of the 1970 assault under the War Measures Act which was to shock Quebec into submission, would be even more counter-productive —resulting in a struggle that would tear Canada apart from coast to coast in civil war.

The fight of the Québécois to win national sovereignty over the second most highly developed sector of the Canadian economy has already raised its working class struggles to a high level of social consciousness and combativity, and will continue to pose challenges of a profoundly radical social character. The rise in anticipations of the Québécois have developed parallel to and have given added impulse to the struggles of the Native peoples, and in particular to the Dene Nation and the Inuit Tapirisat. Together the Native peoples are laying claim to a colossal slab of territory which, with the developing world energy crisis, is becoming increasingly vital to the Canadian and, for that matter, U.S. economy.

These two challenges alone have placed all previous concepts of Canada, the powers of its central government in Ottawa, provincial rights, and indeed the very foundations upon which Canada was structured, into question.

What is more, they have developed within the context of an even more general problem, which has no doubt also fueled them—the continuing erosion of Canada itself as a sovereign nation into a dependency and a satellitic relationship to the United States colossus on its southern border. The key and commanding heights of the Canadian economy arc now controlled by foreign – largely U.S.– imperialist interests.

As ex-Liberal leader Mel Hurtig recently expressed it, “In the eight years Pierre Trudeau has been prime minister of this country. foreign ownership has grown by a greater amount than during the entire first century of Confederation.” This has resulted in an outflow of dividends, interest payments and repayments on foreign investments that have skyrocketed the financial cost of production, as distinct from labor costs, from less than 3% in 1972 to 31.1% in 1975. Today Canada's external debt is greater in relation to its gross national product than crisis-wracked Britain's.

The federal government's policy to meet the grave decline in the economy through its projected New Society, has resulted in planned disemployment of over a million workers, the largest in its history. And in the hope of stimulating the economy Ottawa is removing the largely tokenist restrictions that it had earlier imposed on foreign investment. It is clearing the way for the development of the environmentally dangerous Alaskan Highway (Alcan) gas pipeline which cuts an energy corridor through Canada that is beneficial only to the U.S. power moguls amounting to the Canadian version of the Panama Canal, furthering U.S. domination of the Canadian economy and increasingly locking it into the U.S. economy and its rulers' aims on the world political arena.

This undermining of Canadian national sovereignty has heightened longstanding regionalism which, with the rise of the PQ, has thrown both the Liberal and Tory parties of big business into turmoil where neither can claim to be truly national parties.

The unity cries, the appeals to rally to the constitution, to the BNA Act, in reality only affirm that there is a crisis of major proportions and that the constitution which only in a distorted way reflected the relationship of contending forces in 1867, now bears less and less semblance to the relationship of forces in this country today. In reality the BNA Act, still lying in the dusty files of Westminster not far from the residence of the Queen of England who was by fiat designated Canada’s head of state, is nothing but a piece of paper.

The real constitution of Canada is now being reconstituted by the federal government. In its efforts to preserve as much of the status quo as possible through its appeals to the sacredness of the BNA Act of 1867 it is attempting to establish as favorable a relationship of class forces as possible for the Big Business interests it represents.

It is notable that the appeals of those who defend the Canadian constitution are completely devoid of any sweeping and lofty idealism. Canada's constitution was not forged in the flames of popular struggles or revolution. No leaders called for the mobilization of the masses in militant protests, town meetings or organized guerrilla actions, not to speak of a popular army, to end British colonialist domination. There was no Declaration of Independence or the Rights of Man. There were no Sam Adams, Patrick Henrys or even George Washingtons. The Canadian counterparts of those forces were bloodily crushed back in 1837 by the arms of the British Crown supported by the Chateau Clique and the Family Compact.

Far from being a pact between free Canadians the BNA Act was an act of law, passed not by a popular assembly here but by the imperial power of Great Britain. Confederation was a creation of the British imperial state in collusion with the heads of a colonial administration representing a nascent, dependent Canadian capitalist class. Accordingly, it aimed to block annexation to the United States. It was designed to secure British investments in the railways and open up the public treasury and cream off vast tracts of land for their expansion. It was designed to integrate the crown colonies in the West, to establish private ownership of the land which had been held in common by the Native peoples, and to open it up to the production of cheap grain to keep English mill-hands' wages competitive on the world market. Land was needed on which to dump the surplus British working class population and to develop a market for goods manufactured in the East and overseas.

The Fathers of Confederation shared a hatred and a fear of democracy. While plans were in their preliminary stages, Canada's first Prime Minister John A. Macdonald wrote Premier Tilley of New Brunswick that it was "important that the Bill should not be finally settled until just before the meeting of the British parliament. The measure must be carried per saltum (in one leap) and no echo of it must reverberate through the British provinces till it becomes law....

The Act once passed beyond remedy, the people would soon learn to be reconciled to it."

For George-E. Cartier universal suffrage meant “mob rule” which he saw as the cause of the American Civil War of 1861—the second great American Revolution which witnessed the destruction of the Southern Slavocracy and the rise of industrial capitalism. “Our attempt,” he wrote, “was for the purpose of forming a Federation with a view of perpetuating the monarchical element...In our Federation the monarchical principle would form the leading feature, while on the other side of the lines (the U.S.)...the ruling power was the will of the mob, the rule of the populace.”

The exclusion of the farmers and urban workers from the process was based on the recognition that its terms and conditions were in clear violation of their interests. Whereas, the Province of Canada two decades earlier had won an elective legislative council, the BNA Act imposed a non-elective Senate which Macdonald cynically cracked was to protect the interests of the rich – always a minority.

The New Brunswick electors voted down the Quebec resolutions. The PEI legislature voted no to confederation. The Newfoundland government when it finally moved to agreement was defeated at the polls. The vote in Quebec was held after the new constitution had been proclaimed and was in operation. It was supported by the powerful Catholic hierarchy with the admonition of the Bishop of Rimouski: "You will respect this new constitution that is given you as the expression of the supreme will of the legislator of the legitimate authority, and consequently that of God Himself." Nonetheless the Quebec electorate returned 20 opposition members to 40 government supporters.

Federalism against self-determination

The federalist principle, conceded to Cartier by the English Canadian capitalists who actually sought a unitary state gave nothing to the concept of a bi-national state and naturally neither did such opponents of democracy concede anything to the right of self determination.

The French fact was recognized primarily by linguistic and confessional rights. In a letter to a friend Macdonald wrote that “No man in his senses, can suppose that this country can, for a century to come, be governed by a totally unFrenchified government. If a Lower Canadian British desires to conquer he must ‘stoop to conquer’.”

Within a few years confederation was challenged both by the Indians and the Métis whose interests were completely ignored in the cynical real estate deal for the West with the Hudson's Bay Company. The republic that the Métis under Riel had set up was crushed—the

language rights of the French in what subsequently became the Province of Manitoba brutally denied.

Founded on capitalist property relations, while respecting vested seigneurial rights, the new capitalist state was a semi-autonomous federation of colonial provinces under the patronage of the British capitalists. Having firmed up their interests and ridding themselves of the costs of maintaining their imperial forces, the British retained the powers of decision in foreign relations and peace and war. The colonialist connection dragged Canada behind British imperialist aggression against the Boers in South Africa. As a British dependency, over the opposition of Quebec, Canada went into World War I. While Britain lost its hegemony over Canada to the U.S., the essential satellitic character of its ruling class thrust Canada, in the face of Quebec opposition, into World War II.

Within Confederation, which sped the growth of capitalism and the power of the indigenous capitalist class, Canada evolved from a British colony, to a British dependency, to a dependency of the United States.

On the basis of the relationship of class forces prevailing in 1867, sanctified by the BNA Act, the Canadian capitalist class have since built up a complex network of repressive institutions. It ranges from the Privy Council, to the Supreme Court, to the Bar Association, from the armed forces to the RCMP, from the Canadian Manufacturers Association to the Boards of Trade, from the Rideau Club to the local Kiwanis. Along with their ownership of the means of production they constitute what can be called a system—the Canadian capitalist system.

Rise of working class organizations

Parallel to that development, and capital's own special creation, rose the working class and its organizations. In a nascent stage of development at the time of Confederation, the working class movement has developed into the most massive and potentially most powerful formation in the country. This was demonstrated in the 1972 general strike of Quebec labor and the cross-Canada October 14, 1976 Day of Protest. It has developed an increasing consciousness of its needs through the formation of the NDP as its political arm. Its aim, as expressed in Labor's Manifesto adopted at the 1976 CLC convention, is the wresting of "power from business and its government in the interests of labor" in order to institute "a system of national and economic planning." This is a key component of the new reality.

It is not excluded that with Trudeau and its other leading spokesmen, the system can succeed in mobilizing sufficient support, through a policy of confrontation linked to limited concessions, to slow down and even to temporarily divert the forces that seek a restructuring of Canada in harmony with its real needs and the present relationship of forces in the country. But the odds that have long favored the frustration of the mounting democratic process are less favorable than they have ever been before. In Quebec the forces of the status quo are in disarray and have been pushed back into a defensive position all down the line. The tide appears to be running, so that it is possible to visualize not only the realization of the central aim of the PQ—the establishment of national sovereignty—but fundamental changes in the system itself in Quebec. It is now widely understood, by even those who oppose separation, that it is the right of the Québécois to self-determination up to and including separation and that it is a violation of elementary democracy to deny it. Besides, the declared social aims of the PQ and the social reforms that it is implementing have won wide support across the country.

The demands of the Native movements have struck a broad support among the Canadian people who are increasingly concerned about ecological dangers and are for the planned and social utilization of the natural resources long said to be the property of the entire nation. Native land claims are not at all an infringement on their popular accessibility but are directed to their control against the well-known ravages that have been perpetrated by the robber barons and monopoly capitalists—from Reed Paper to Imperial Oil.

The rise of the Quebec and Native peoples' struggle have opened the way for all the other broad and popular democratic forces to intervene and to help shape the country to the form they think necessary. The widespread opposition to U.S. domination of the Canadian economy and its linkage to the global strategies of U.S. imperialism, the broadening women's rights movement, the movements for freedom of sexual orientation and freedom of choice on childbearing, the prisoners' rights movements, and above all the trade union movement.

It is now possible to move out on a massive scale to commence the building of a new Canada. The appeals for unity and to save Canada are designed to block this opportunity, at best to dribble out a few concessions which have as their purpose to preserve the undemocratic essence of the BNA Act and the entire superstructure that capitalism has built upon it.

The growing support for the call for a Constituent Assembly must take on massive proportions and the whole process for its realization must rapidly get underway.

The profoundly democratic demand for a Constituent Assembly must become a physical reality. It would provide a vast public forum, an arena for the exchange of all ideas about all the problems and possibilities confronting Canada. It would provide the basis for a consensus that would result in the drafting of a provisional constitution. And it would provide elections that would assure representation in a popular assembly of every and all viewpoints that would keep all options open for an advancing Canada.

(End of Part 1 of 3) (Part 2 – See 1977-July-Forward No. 28)

QUEBEC AND THE CANADA CRISIS

For a Constituent Assembly and a new Canadian Constitution

By Ross Dowson

Part 2 (of 3)
(from Forward, July 1977)

The social dynamics of the Quebec nationalist movement

Trudeau leads federalist attack against Parti Québécois

The following is the second installment of a three part article on the constitutional crisis now confronting Canada. The first, appearing in the May 1977 issue, dealt with the BNA Act and Confederation. Copies can be obtained by writing to FORWARD, Box 778, Adelaide St. P.O., Toronto.

By Ross Dowson

Confederation, the structuring of Canada into a single national state, imposed on its components of 1867 by the nascent indigenous capitalist class in collusion with British imperialist interests, contained, but it by no means eliminated several explosive elements.

The Fathers of Confederation anticipated that the conquered nations of Quebec and the Native Peoples (Indian, Métis and Inuit) would be constrained and ultimately assimilated in the case of the former, and in the case of the latter, driven to the outer edges of the community and destroyed as an effective force.

But 79 years after the British conquest. Lord Durham in his report following the brutal defeat of the 1837 revolutionary uprisings against the British yoke in both Lower and Upper Canada informed the British Foreign Office, “I expected to find a contest between a government and a people. Instead I found two nations warring in the bosom of a single state.”

Lord Durham expressed the anticipation of those who looked to the destruction of the French nation through the processes of assimilation, with the words: "...it will be acknowledged by everyone who has observed the progress of Anglo-Saxon colonization in America that

sooner or later the English race is sure to predominate even numerically ally in Lower Canada (Québec) as they predominate already by their superior knowledge, energy and wealth. The error, therefore, to which the present contest must be attributed, is the vain endeavor to preserve a French Canadian nationality in the midst of Anglo-American colonies and states…"

Nonetheless the French-Canadian nationality has been more than preserved. Inflamed by the hanging of Riel and the destruction of the Métis Republic, the conscription of her youth for the foreign World Wars I and II, sustained for many years by conservative clerical forces, until, following the so-called Quiet Revolution of the sixties, in November 1976 it took the stage as the Parti Québécois in power in the Quebec National Assembly.

What is the PQ and what are the general configurations of the movement which it heads? Will the sovereign Quebec state which it projects be socialist as the editors of the *Globe and Mail* and *Financial Post* warn or will it be a xenophobic, racist, even fascist state as, others are so bold as to suggest? And with Quebec wrenched out, what is the future for anglophone *(English-speaking –ed.)* Canada? Will it survive as a nation, or will the continuing process of economic integration with the U.S. result in its complete structural integration?

Pierre Elliott Trudeau, whom the noted historian Arthur Lower has described as "the country's sheet anchor" around whom "Like it or not all those who love their country must rally… (since) he represents the only adequate bridge between two people," has led the assault on the PQ and its declared aim of the establishment of a sovereign Quebec nation state.

In Saskatoon this spring he charged the PQ with being a fifth column, an insidious enemy within Canada which "wants to destroy this country" and urged that its representatives be barred from getting a hearing—"they are trying to con you," he warned.

At one of his weekly news conferences in June, Trudeau in effect rejected any discussions with Quebec government officials. As a precondition he said that "he wants to make sure that Mr. Lévesque *(leader of the Parti Québécois –ed.) ...* wants to remain in Confederation." And "I am not in favor of the thesis put forward that the premier of Quebec is speaking on behalf of a founding people."

In an early May interview with Agence France Presse, and in a speech at Laval University, he not only attacked the established criteria that define any nation, including Quebec as a nation. He ridiculed the very "idea that a nation must be sovereign." He flung the label of "ethnocentricity" on the policy of the PQ—a term which the widely syndicated Southam Press columnist Charles Lynch conceded is nothing but a “polite term for racism.”

The common thread that runs through the arguments of nearly all those who have succumbed to the high-powered campaign for Canadian national unity is the failure to recognize that the francophones of Quebec, the overwhelming majority of its population, are a nation, an oppressed nation within the Canadian state and by that fact have the elementary democratic right to self-determination, up to and including separation itself.

The term colony (a colony of Anglo-Canadian and U.S. capital) sometimes used to describe Quebec, and Canada itself, as a colony of the U.S. instead of clarifying only confuses the question The economy of Quebec unlike the so-called underdeveloped world, the Third World, is not agrarian, but that of the advanced capitalist world which, while suffering from elements of regional underdevelopment, is essentially the same as the rest of Canada. The central form of class antagonism is the conflict between capitalism, (Anglo-Canadian. U.S. and a dependent Quebec capitalism) and a highly urbanized, unionized and militant working class. Nationalism is not solely the credo of the tiny Quebec middle class but permeates the consciousness of the working class heightening its class unity and combativity. Lise Payette, the popular PQ minister of consumer affairs and financial institutions, attacked the business community last month with exercising "shameful blackmail" of the government, charging it with being people "without a flag, without nationalism and without a sense of identity."

The state forms are of a bourgeois democratic character. While the struggle for an independent Quebec has been projected by some as posing a socialist revolution and even armed struggle, the PQ’s winning an electoral majority in the Quebec Assembly gave the struggle for a sovereign Quebec a qualitative leap forward. The PQ government accused by its federalist opposition of already acting as if it headed a sovereign state has been implementing legislation such as its French language law that would appear to almost guarantee a “yes” vote for Quebec sovereignty in the coming referendum. It would appear that Quebec independence is going to be won in the cold way *(i.e., a transformation of bourgeois state relations rather than socialist independence –ed.).*

While nothing is excluded, there is no longer talk about federal armed ed intervention against separation—it is apparent that any such adventure would tear apart the country from coast to coast in an irreconcilable civil war.

What has sustained the consciousness of the Québécois that they do indeed constitute a nation is largely their cultural oppression—the denial of their language rights, outside the borders of Quebec where they are being assimilated, but above all in Quebec where they constitute the majority.

Trudeau, in a recent speech in Winnipeg, presented facts which explain above all the alienation of the aspiring Québécois middle class professional. “The population of Quebec is more than 80% French-speaking. Yet out of Quebec’s 100 largest business firms, only four have five or more French-Canadian executives—and 43 of these firms do not have a single French Canadian in their senior ranks.” He also noted that while francophones constitute 27% of the Canadian population they constitute less than 15% in the federal public service.

The parliamentary commission hearings that the PQ government has been holding on its proposed language Bill 1, an avidly followed public forum, recently heard Yvon Charbonneau, president of the French-speaking teachers' union—the Centrale de 1'Enseignement du Québec, present its 93-page brief.

Charbonneau explained the class character of the language question. "The alienation of the Québécois people, a people of wage earners in search of a fatherland, is first economic in nature: it derives from the position that its overwhelming majority occupies in the process of production: the bottom of the ladder." Cultural Development Minister Camille Laurin enthusiastically responded that the PQ bill to francisize the Quebec economy, to make French the language at the work place, is to get at the roots of "the economic alienation" of the Québécois.

The election of the PQ government was widely celebrated. While they subsequently recanted, almost the entire NDP leadership, along with union leaders such as McDermott of the UAW, hailed it. After all, the defeat of Bourassa constituted a body blow to the capitalist party par excellence, the Liberals—a blow from which their Quebec wing has yet to show the slightest sign of recovery. The response of the so-called revolutionary left —that nothing had changed— only revealed its own myopia. The PQ victory not only signified a new opening for the Québécois, which they readily understood, but also for anglophone Canadian politics.

Of course the PQ is neither a socialist nor a labor party. It is a petit-bourgeois party, its leadership largely composed of middle class professionals and technocrats with a background that is even more solidly respectable than any government in the country. While the editors of the Toronto *Globe and Mail* and the *Financial Post* label them socialist, neither the party's program nor its leadership, for all their promised reforms, present a consistent anti-capitalist perspective, although Lévesque has said the party is socialist on the Swedish model. It is the rupture that its meteoric growth and election into office has brought to Quebec society, the mass character of the party which makes it the most popularly rooted in the country, the high anticipation of its ranks reflected in the party's endorsation by the Quebec Federation of Labor, that open up such possibilities for social change in Quebec and the rest of the country.

The PQ is a nationalist party firmly committed to the establishment of an independent and sovereign Quebec. While the leadership is now in the process of opportunistically laying aside some of its social program and it is not excluded that some elements may capitulate to the high-powered opposition of federalism, as a party it is being persistently firmed up and evermore irrevocably committed to independence. With the formal establishment of Quebec sovereignty its popular, largely working class base, will be confronted with the challenge of what to do with that sovereignty, with the question of what kind of Quebec they wanted to build. While the PQ is not a labor party its rise has continued to pose the question of such a party which it would now seem certain can only come out of further experiences of the class with the PQ. Thus the PQ would appear to be a highly unstable and even transitional form in the continued radicalization of the Québécois.

The national aspirations of the Québécois, rooted in some 250 years of oppression, and which have given the working class struggles there a sharp cutting edge, have never been understood by the federalist-oriented reformist NDP and CLC leadership —particularly that wing that functions primarily as an extension of the U.S.-based so-called international unions. The rigidity of the CLC leadership, modified only at the 1974 Vancouver convention, left important sectors of the working class to unionize outside of its ranks and to realize unity of action only in the Common Fronts.

The struggles within the Quebec CCF to tune the party into the national aspirations of the Québécois led by Jean-Marie Bédard, Michel Chartrand and others were frustrated and defeated by the Ottawa leadership. This false policy of the CCF-NDP leadership has had the two-fold result of **one**; dooming the CCF-NDP to the existence of a

tiny irrelevant sect which it remains to this day, and **two**; leaving the situation open so that such a formation as the PQ would arise to fill the gap.

This confusion in the anglophone working class movement is typified by the editorial that appears in the April issue of *True North*, a monthly sponsored by a wide range of union leaders in the Sudbury district. It declares that nationalism in Quebec represents only the interests of the middle class, "the injured egos of 2% of the population of Quebec." Echoing the witch-hunt charges that Trudeau has leveled at the CBC. "using both the French and English language media both in Quebec and the rest of Canada," this tiny middle class, according to Editor Carl Dow, actually "created the cultural conditions for the election of the PQ." This same 2%, while Quebec, under the union leadership, "stood on the threshold of real social reform... seized an opportunity to subvert this genuine democratic social and economic development." Dow caps off his version of history as conspiracy with a warning about nationalism—including the nationalism of oppressed peoples—not to "forget the lessons of Hitler and his National Socialists, and the wormy workings of Mussolini, to say nothing of the right-wing nationalist governments of today in Africa and South America and Asia."

Grace Mclnnis, the daughter of CCF founder J.S. Woodsworth and NDP MP for nine years, lends herself to an interview in the series that the editors of the *Toronto Star* state quite frankly seek "opinions on how to persuade Quebec to remain in Confederation." She too concentrates her fire not on the perpetrators of national oppression but upon nationalism, which she warns "can be devastatingly dangerous… Where nationalism and socialism are found in one group of Individuals," she says, "there will be a conflict and nationalism is always going to win." According to Mclnnis, separatism doesn't stem from the masses in Quebec but merely from feelings of insecurity in working people. The answer is “give people jobs...”

In this, Mclnnis merely follows the line of NDP leader Broadbent whose top priority is not to popularize the legitimate grievances of the Québécois and to defend the right of the Québécois nation to self-determination, but to keep the country together. Noting that "you find that fully 40% of Quebeckers under the age of 30 now are moving in a separatist direction" he has been appealing to the Trudeau government to initiate a job creation program aimed at young Québécois. With such a program by a government which has declared it has no solutions to the present economic crisis, according to advisor Broadbent "we'd win the battle, if you like, for the hearts and minds of those who are not yet committed to separatism by that clear demonstration of a national government that cares for Quebeckers."

While Quebec's course towards national sovereignty is proving ever more clearly, in the words of Lévesque, to be irreversible, and thus the question of what is to become of anglophone Canada is ever more on the order of the day, the central focus of Ottawa's pan-Canadian campaign remains Quebec. By concentrating it there Ottawa hopes to hold anglophone Canada together as a bloc of forces against Quebec. Besides the key decision is to be made in no place other than Quebec by none other than the Québécois.

Of course Trudeau is not addressing himself to the PQ and the growing forces for Quebec national sovereignty. He has declared irreconcilable war against them. Trudeau is trying to rally together and firm up every rag-tag and bob-tail of opposition to the PQ referendum in Quebec, to overcome the petty schisms between the Liberals, the Progressive Conservatives, the Union Nationale and the Créditistes. He is out to consolidate whatever forces of opposition that he can scrape together, to polarize the opposition to a "yes" vote in the referendum on national sovereignty.

By so doing, of course, he polarizes the forces which favor a "yes" vote in the referendum. All the dynamics of the situation favor a "yes" vote. Should the vote register a defeat for independence it cannot be a final answer, for the Québécois' struggle is inevitable and irrepressible. And all the while the processes of disintegration continue to work away at the rest of Canada, continuing to pose the need for a constituent assembly to prepare a new constitution that will serve twentieth century Canada in a world that is in the process of fundamental change.

(end of Part. 2 of 3) (see Part 3 in Forward, September, No. 29)

QUEBEC AND THE CANADA CRISIS

For a Constituent Assembly and a new Canadian Constitution

By Ross Dowson

Part 3 (of 3)

A Constituent Assembly & a new Constitution

A way out of the Confederation crisis

(From Forward, Sept. 1977)

This is the final installment of a three-part article on the constitutional crisis now confronting Canada. The first, appearing in our May 1977 issue, dealt with the BNA Act and Confederation. The second dealt with the social dynamics of the Quebec nationalist movement and appeared in our June-July issue. With the publication of this article, which marks the completion of the series, the editors of Forward *will be publishing them together in pamphlet form. We hope that with the help of our readers this will widen the circulation of this important material.*

By Ross Dowson

As Ottawa acted to firm up its control of the oil and gas-rich North West Territories and head off the mounting Native rights movement there, by moving towards transforming its stooge Territorial Council to provincial status, the Indian Brotherhood of the NWT responded.

The Brotherhood called for the scrapping of the Territorial Council July 15, when it denounced it as ignoring "the existence of two aboriginal nations in the North with their own functioning systems of governments, (and which) lumps us together in an oppressive institution based on non-native practice." It demanded the division of the Territories into three—one with a majority of Dene, one with a majority of Inuit, and one with a majority of non-natives—each with "wide powers roughly resembling those of a province and a system of government democratically determined by its citizens."

No doubt with its ability to serve the giant U.S. oil consortiums uppermost in its mind, Ottawa's response to the demands of the Native movement was the same as its response to the Québécois claim that they constitute a nation. Legislative authority and governmental jurisdiction, the cabinet intoned, “are not allocated in Canada on the grounds that differentiate between people on the basis of race.” George Erasmus, president of the National Indian Brotherhood, ridiculed the cabinet's pretensions: "Very clearly what the federal government continues to support are ethnic governments so long as they are oppressed, as are the people in reserves in the south."

At the same time as the Dene and Inuit peoples issued their declaration of independence from the restraints of Confederation, Native peoples in the south voiced their demands. Ontario's 20,000 Cree and Ojibway Indians of the Grand Council Treaty 9 presented a 10-point declaration of rights to Ottawa. President Andrew Rickard summed up their aim, to "create a nation—a free and sovereign nation—within a nation." They claim about half the province of Ontario as their own—some 210,000 square miles of the Ontario far north whose waters drain into Hudson's and James Bay. The 1,600 member Peigan band in southern Alberta has recently filed a $25 million claim in the federal court against some 23,500 acres of reserve land surrendered in 1909 "through undue influence and gross breach of trust."

But it is Quebec and its struggle for national sovereignty that constitutes the most immediate and chief threat to the federalist strait- jacket, and the most powerful of the forces that can lead to the restructuring of this country to meet the needs of its working people in 1977-on.

The passing of the law that requires all corporations in Quebec to undergo francisation, that establishes French as the sole official language in the courts and in the National Assembly, and firmly embeds French as the language of instruction in the schools, won a tumultuous response right across Quebec. And no wonder. It is the first significant gain to be registered in the 200-year-long struggle for Québécois rights which saw the election of the Parti Québécois into office in the Quebec National Assembly less than a year ago. Following this victory the PQ moved to establish the ground rules of the popular plebiscite or series of plebiscites which its leadership is convinced will see the Quebec people opt out of Confederation as an independent Quebec state with an associate status with Anglophone Canada.

Both of these developments roused a bitter and despairing response from the Liberal government, its Big Business sponsors, the loyal opposition, and their divers hangers-on across the country. Trudeau, as head of government and the chief architect of federal laws, responded by openly expressing his support of those now flagrantly violating the laws passed by the legally-elected Quebec legislature. He likened the actions of those seeking to maintain their privileged positions in Quebec society through their children's non-compliance with the law, to those who defied conscription for overseas service in World War II, which the party he now leads enforced in the face of a plebiscite that registered an overwhelming majority of Québécois opposed. His government has made it known that it will support any challenge that may be made as to the legality of the Quebec legislation in the allegedly impartial federal courts.

With the election of the PQ to power in the Quebec National Assembly the parties of Canadian federalism went into shock. After puerile efforts to convince themselves that the PQ's election was merely the expression of the Québécois' desire for "good government," and having finally had to face the fact that whatever else the PQ stands for it is firmly committed to the establishment of Quebec

sovereignty, all the parties of the status quo settled down to a powerful and systematic campaign which alternates between menacing threats and gestures at Quebec to sweet words of endearment.

There was the battle of the balance sheets—that Confederation, the PQ's facts notwithstanding, actually pays off. To the astonishment of these cynics there has been a widespread Québécois response that freedom is well worth whatever the price exacted.

After seeing the failure of reasoning together over the dollar-and-cent "facts" of Confederation it was only a small step to the petulant threats by federal and provincial government heads that in no way would they ever agree to any associate status with an independent Quebec. But who can believe that Ontario could terminate its long-standing integrated profitable trade relations with a Quebec gone independent, particularly when its own economy continues to slide into depression as profits fall, unemployment spreads and Ontario business, to save itself, desperately seeks markets in other independent states half way across the world. To cut off one's nose to spite one's face is not only painful, but a peril to one's own life.

As for the ultimate weapon—the threat, and then having to carry through with the real thing—the violent overthrow of the legally-elected PQ government and the imposition of a military-police rule in Quebec!

Just what persuasive power is there in such threats when the real thing was carried out and only a short six years ago, with Trudeau's enforcement of the War Measures Act, the military-police occupation of the province and the forcible detainment without charge of hundreds of Québécois in jail? Who can deny that this violation of Quebec rights played a significant role in the subsequent PQ victory? And if Ottawa today or in the future were to carry out such a threat against a PQ government, would it not be even more counter-productive? And how would it extricate itself from such a situation? What would such an event mean to the Québécois and to the working-class movement of anglophone Canada—where would it end? Such a solution would only be the ultimate desperation.

Then there is the high-powered campaign that attempts to reduce this longstanding historic freedom struggle of an entire people down to the lowest plane of personal relations—the urgings that each anglophone Canadian should show a real friendship for the Québécois, that he/she should demonstrate it by learning French, by visiting Quebec, and above all by demonstrating a passion for Confederation.

And so it goes—let's not break up what can be a beautiful Confederation between us, and if not for your own sake as a Québécois, let's live with it, change some the rules perhaps — but let's keep it together—if only for the sake of us anglophones!

The Québécois have likened Confederation to a prison. They conceive of themselves as on the point of breaking out of this prison to establish a new, independent and free relationship. Why now should they concern themselves about what is to become of the prison from which they are escaping, or with the rules or the amendments of rules that have so long governed their incarceration? And why should they concern themselves with what is to become of those, who, even if they had no choice, were guards or in some other way defenders or apologists of the prison? The prisoners, in liberating themselves, whether the guards realize it or not, have also liberated them — from their thankless duties.

Behind the wild veerings from threats to amorous blandishments of the Trudeau government, the opposition Tones and, unfortunately the NDP parliamentary leadership, lies the simple and apparent fact that they have no program at all to meet the situation which the PQ victory has placed under the spotlight — the bankruptcy of Confederation.

At the same time as the PQ victory answered the longstanding question What does Quebec Want? — it threw Canada and Confederation itself into question. The crisis confronting the federalists is the crisis of Confederation as it evolved from the British conquest by arms, to the imposition of the BNA Act by fiat of the British colonial office, in alliance with a nascent, dependent Canadian capitalist class, and the bits and pieces that have been added to it to hold the expanding country together as it slipped into a position of a dependency of U.S. imperialist power.

The PQ victory which has set Quebec off in the direction of establishing its national sovereignty has unhinged Canada. All the efforts, all the projections of the Trudeau government and its loyal opposition are based on attempts to sanctify Confederation and are directed to turning Canadians back from coming to grips with the new reality, to returning to a situation that history has proven unworkable, and to which it is now no longer possible to return.

However, there is a program—one which can turn the crisis of Confederation into a new beginning. That program resides in the collective intelligence of the Canadian people and their capacity to act in their own interests.

The way to develop that program and to mobilize the forces to implement it lies in the calling of a constituent assembly that can work out a constitution for Canada and set up appropriate structures.

Ever since November 15 in the various public forums and discussions in assorted journals of opinion, the idea of a constituent assembly to work out a new constitution has continued to appear. It has received notable support from the editors of the influential liberal journal *Canadian Forum*, which in its June-July issue published ‘’A Proposal For a New Constitution’’ over the name of The Committee For a New Constitution. The endorsers of this appeal include in their ranks the most prominent liberal-left personalities in the country, including leading academics in the field of history, political studies, and political science from all the major universities in anglophone Canada.

A serious weakness in its support is the absence of any representative leaders of the organized labor movement and the parliamentary leaders of the NDP. However this may well be in the process of being rectified.

The chief merit of their statement is that it starts off by recognizing “the right of Quebec to choose their own constitutional future by free and democratic means.” Noting that Quebec is now in the process of coming to a decision about its constitutional future, its authors state that "we are prepared to accept the democratic verdict of that electorate when it is determined," whatever it may be. Meanwhile, they state, "it is essential for English-speaking Canada also to debate the principles of its continuing life."

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They affirm their belief that Canada "exists as a viable national community" with a "will to survive as an independent nation regardless of the choice that the people of Quebec may make about their future" and "we should be working to devise a new constitution." They state "we do not believe that Canada without Quebec must break up into weak fragments to be inevitably absorbed into the United States."

The fear that Canada, with its own institutions, with its mass labor party and its NDP governments and more advanced social legislation, *without Quebec*, will lose what little independence that has not already been forfeited to U.S. imperialism and will completely collapse into the maw of the world's super-imperialist power, is a widely held one as this debate has already revealed. This fear of the "absorption of Canada into continentalism" has caused Larry Pratt, author of

Alberta Tar Sands and professor of political science at the University of Alberta, to refuse to sign the statement. He charges its willingness to accept Quebec's opting out as amounting to endorsing Canada's "destruction from within". Others are opposing the consolidation of the Quebec trade union movement into an autonomous national structure as splitting the Canadian union movement and weakening it before the onslaughts of capital.

But the appeal to unity upon which such arguments are based mistakes a unity in words, for a genuine unity, a unity with content. There can be no unity that is not based on free association.

After outlining the various options open to Quebec, the document states that "in event that Quebec chooses independence with association, the rest of Canada should be in a position to propose terms of association."

They urge the appointment of a constitutional commission to “hear and study the suggestions of all Canadians who wish to participate,” and “the creation of a popularly elected constituent assembly charged with drafting a new constitution. Preparations for this assembly could be made while the constitutional commission is doing its work. The report of the constitutional commission would form the initial basis of discussion in this constituent assembly. This constituent assembly would draft a constitution, including provision for terms of association with Quebec (in the event that Quebec should so opt) which would then be submitted to public ratification.”

Back in the Mid-February issue of *Forward* its editors announced their support of the call for a constituent assembly. They urged that pressure "be mounted across the country to force the present government to issue such a call and allocate the necessary public funds to get the process underway. Should it balk," they suggest, "the governments of Saskatchewan and Manitoba and/or the Canadian Labor Congress with support of other popularly based organizations could take initiatives on their own that could force the government to act—or failing that, themselves set the process underway so that it would establish its own legitimacy...

"Among the many things this would involve would be the striking off of a broad representative impartial commission with ample funds and all government facilities at its disposal, including prime radio and TV time, that would hold open sessions at all key points in the country. There, spokespersons from all political, cultural, social organizations and bodies, even individuals, could present papers and amplify their views on a new constitution for Canada...

"These discussions would inevitably deal with such important questions as whether a 20th century Canada would want as its head of state a Queen of another country, whether it should have an appointed Senate restricting the powers of the elected assembly, what the authority and term of office of the assembly would be, whether it would have representation on the basis of professions, of trades, from places of work, whether or how much representation it would have from inherited wealth such as Trudeau, from lawyers, doctors, and whether representatives would be subject to immediate recall by their constituency.

"The preamble to the constitution or other supplementary documents such as a Bill of Rights would declare how Canadians see themselves in relation to other peoples of the world and what they conceive as the aim and fundamental nature of the society they are building in Canada. It would have to declare whether it is tolerable to have private ownership of our natural resources, not to speak of ownership subject to laws of another country, and whether it is acceptable in this day to leave the means of production in industry upon which the employment and the physical well-being of the people depends, under private ownership and operation on the motive of profit. The question of religion and the state, of religious instruction in the schools, and church ownership of revenue producing properties, would have to be outlined. It would enunciate general principles that would determine whether Canada could continue membership in such military alliances as NORAD and NATO. In dealing with human rights it would have to decide whether barring of discrimination on the basis of sex should not also include sexual orientation and whether abortion should continue to be in the criminal code and should not be a simple matter of personal choice.

"Following extended and free wheeling discussions involving the entire population a special sub-commission could be struck off. Then, guided by the many submissions it could draw up a draft of a constitution and any necessary supplementary documents. These drafts could again be subject to popular criticism and amendment and adjustment. Then they could be declared a provisional constitution upon which elections would be held and a representative assembly formed which would adopt a constitution—and commence to legislate the country along its lines.

"Through the processes of working out a new constitution a tremendous awakening and unleashing of all the creative forces that reside in her peoples, particularly in the highly educated and skilled working class, would take place. The foundations for completely

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